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10/757,255	01/14/2004	Dean Joseph Ippolito		4079

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EXAMINER

KAYES, SEAN PHILLIP

ART UNIT

PAPER NUMBER

2841

DATE MAILED: 12/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/757,255	<b>Applicant(s)</b> IPPOLITO ET AL.	
	<b>Examiner</b> Sean Kayes	<b>Art Unit</b> 2841	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3-4, 7, 10-12, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Garlock (US 20020093882) in view of Yoo (US 5305290) and Dennison (US 3228688.)

3. With respect to claim 1 Garlock teaches a device for displaying information about a game with a playing surface, the device comprising:

- a body (2 figure 1) that is physically unconnected to the playing surface;
- a first display (4 figure 1) operable to display first information about a player of the game; and
- a second display (right display, shown in figure 1) operable to display second information about the player of the game, in which
- both the first display and the second display are rigidly attached to the body (see figure 1.)

Garlock does not teach wherein the second display is facing in a different direction from that of the first display.

Yoo teaches a two sided clock sharing a common housing.

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Dennison teaches using a two sided display for the purpose of indicating information to two players of a game at the same time, wherein the two players necessarily face in opposite directions while playing said game.

At the time of the invention it would have been obvious to one skilled in the art to make Garlock's second display face in roughly the opposite direction of the first display, as taught by Dennison and Yoo. The suggestion or motivation for doing so would be to indicate information to two separate people facing in opposite directions, as taught by Dennison.

4. With respect to claim 3 Garlock teaches a device for keeping time comprising:

- a single rigid chassis (2 figure 1)
- a first memory (page 4 column 1 paragraph 43 discusses wherein the timing values are stored in a memory. Additionally, see claim 12.) for storing a first amount of time remaining for a first player of a game (left display, 4 figure 1), the first memory attached to the chassis
- a first display (left display, 4 figure 1) for displaying the first amount of time, the first display rigidly attached to the chassis and coupled to the first memory
- a second memory (page 4 column 1 paragraph 43 discusses wherein the timing values are stored in a memory. Additionally, see claim 12.) storing a second amount of time remaining for a second player of the game, the second memory attached to the chassis

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- a third display (right display figure 1) for displaying the second amount of time, the third display rigidly attached to the chassis and coupled to the second memory; and

Garlock does not teach

- a second display for displaying the first amount of time, the second display rigidly attached to the chassis and coupled to the first memory,
- a fourth display for displaying the second amount of time, the fourth display rigidly attached to the chassis and coupled to the second memory and
- wherein the second display faces in a different direction from that of the first display;

Yoo teaches a two sided clock sharing a common housing.

Dennison teaches using a two-sided display for the purpose of indicating information to two players of a game at the same time, wherein the two players necessarily face in opposite directions while playing said game.

Dennison teaches using at least two displays per side of the device. One display corresponds to information about one player on one side. The second display corresponds to information about the second player.

Garlock teaches indicating two separate pieces of timing information, namely the time remaining in a game for two separate players.

At the time of the invention it would have been obvious to one skilled in the art to modify Garlocks invention such that it displayed the timing information in two separate directions as taught by Dennison and Yoo. The suggestion or motivation for doing so

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would be to allow two people facing in opposite directions to view the display, as taught by Dennison.

Additionally, at the time of the invention it would have been obvious to one skilled in the art to provide two displays for each side of Garlock's modified device, as taught by Dennison. The suggestion or motivation for doing so would be to provide information regarding both players on both sides of the display, as taught by Dennison.

5. With respect to claim 4 Garlock, Yoo, and Dennison teach the device of claim 3, in which the second display faces in a direction opposite of the first display. (This claim repeats the limitation of claim 3 lines 9-10. Please see rejection to claim 3.)

6. With respect to claim 7 Garlock, Yoo, and Dennison teach the device of claim 3, in which the first memory and the second memory are the same memory, and in which this same memory stores the first amount of time in a first location in the memory and the second amount of time in a second location in the memory. (Lines 14-15 of claim 12 and page 4 column 1 paragraph 43 discusses wherein the timing values are stored in a memory.)

7. With respect to claim 10 Garlock, Yoo, and Dennison teach the device of claim 3, in which the first display is at least one of

- a liquid crystal display (figure 1)
- a dot matrix display

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- a diode display
- a light emitting diode display
- an organic light emitting diode display
- a cathode ray tube; and
- a projection display

8. With respect to claim 11 Garlock, Yoo, and Dennison teach the device of claim 3 further including:

- a signal generator (page 2 paragraph 14) for generating a timing signal, the signal generator coupled to the first memory and to the second memory;
- a first button (left button, 8 figure 1) for signaling a first play in the game, the first button attached to the chassis and coupled to the first memory and to the second memory; and
- a second button (right button 8 figure 1) for signaling a second play in the game, the second button attached to the chassis and coupled to the first memory and to the second memory, in which:
  - the first memory is operative to reduce the first amount of time remaining upon receipt of signals from the second button (paragraph 39 page 3);
  - the first memory is operative to stop reducing the first amount of time remaining upon receipt of signals from the first button (paragraph 39 page 3);
  - the second memory is operative to reduce the second amount of time remaining upon the receipt of signals from the first button (paragraph 39 page 3); and

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- the second memory is operative to stop reducing the second amount of time remaining upon receipt of signals from the second button (paragraph 39 page 3);
- the motion of the first button with respect to the chassis is constrained to one dimension (figure 1); and
- the motion of the second button with respect to the chassis is constrained to one dimension (figure 1.)

9. With respect to claim 12 Garlock, Yoo, and Dennison teach the device of claim 3, further including a processor (18 figure 2), the processor attached to the chassis (2 figure 1) and operative to: direct the first memory (see claim 12 lines 9-10) to reduce the first amount of time remaining; direct the second memory (see claim 12 lines 9-10 and second display shown in figure 1) to reduce the second amount of time remaining; direct the first memory to stop reducing the first amount of time remaining; direct the second memory to stop reducing the second amount of time remaining; direct the first display to display the first amount of time; and direct the second display to display the first amount of time (paragraphs 33, 39, 43-44, and 46-47.)

10. With respect to claim 14 Garlock discloses a device comprising:

- a means for tracking a first time (first time is indicated on the left of figure 1)
- a means for tracking a second time (second time is indicated on the right of figure 1)
- a first display means for displaying the first time in a first direction (4 figure 1)



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- a second display means (right display figure 1) and
- an initiation means (8 figure 1) for initiating the reduction of the first time and halting the reduction of the second time
- in which the first display means is a liquid crystal display (figure 1)

Garlock does not disclose a second display means for displaying the first time in a second direction.

Yoo teaches a two sided clock sharing a common housing.

Dennison teaches using a two-sided display for the purpose of indicating information to two players of a game at the same time, wherein the two players necessarily face in opposite directions while playing said game.

Dennison teaches using at least two displays per side of the device. One display corresponds to information about one player on one side. The second display corresponds to information about the second player.

Garlock teaches indicating two separate pieces of timing information, namely the time remaining in a game for two separate players.

At the time of the invention it would have been obvious to one skilled in the art to modify Garlocks invention such that it displayed the timing information in two separate directions as taught by Dennison and Yoo. The suggestion or motivation for doing so would be to allow two people facing in opposite directions to view the display, as taught by Dennison.

Additionally, at the time of the invention it would have been obvious to one skilled in the art to provide two displays for each side of Garlock's modified device, as taught by

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Dennison. The suggestion or motivation for doing so would be to provide information regarding both players on both sides of the display, as taught by Dennison.

11. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Garlock (US 20020093882) in view of Yoo (US 5305290) and Dennison (US 3228688) in further view of Imgruth (US 4236239.)

12. With respect to claim 5 Garlock, Yoo, and Dennison teach the device of claim 3. Garlock does not teach in which the first display and the third display are the same display, and in which this same display displays the first amount of time at a first location on the display and the second amount of time at a second location on the display.

It is very well known in the art to utilize a common display device to display more than one piece of information. This is done in order to simply device design and assembly. Evidence of this is provided by Imgruth, which teaches an LCD screen with at least two displays displayed thereon.

At the time of the invention it would have been obvious to one skilled in the art to have a common display, as taught by Imgruth, on each side of Garlock's invention for indicating the at least two pieces of timing information. The suggestion or motivation for doing so would be to simplify the device design and assembly by reducing the required number of displays.

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13. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Garlock (US 20020093882) in view of Yoo (US 5305290) and Dennison (US 3228688) in further view of Kashio (US 4078375)

14. With respect to claim 8 Garlock, Yoo, and Dennison teach the device of claim 3. Garlock does not go into detail regarding the memory. Subsequently Garlock does not teach in which the first memory is a semiconductor memory.

Semiconductor memories are notoriously well-known in the art. Evidence of this is provided by Kashio.

At the time of the invention it would have been obvious to one skilled in the art to make the memory in Garlock's invention a semiconductor memory as taught by Kashio. The suggestion or motivation for doing so would be to provide a memory means for realizing Garlock's invention.

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Garlock (US 20020093882) in view of Yoo (US 5305290) and Dennison (US 3228688) in further view of Rast (US 6904001) and Wales (US 2676086.)

With respect to claim 13 Garlock, Yoo, and Dennison teach the device of claim 3. Garlock does not disclose wherein the device further including a microphone for receiving voice inputs, in which the microphone is electrically coupled to the first memory.

Rast teaches attaching a microphone to a clock/timer for the purpose of recording audible notes (column 25 lines 54-57.)

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Wales teaches recording notes about the moves made during a game of chess.

At the time of the invention it would have been obvious to one skilled in the art to attach a microphone as taught by Rast. The suggestion or motivation for doing so would be to allow a player or judge/referee to record notes about the game using the game device.

15. Claims 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Garlock (US 20020093882) in view of Kifer (US 6102399.)

16. With respect to claim 16 Garlock teaches a device comprising:

- a body (2 figure 1)
- a memory (see claim 12), including two memory locations, in which each of the two memory locations stores a time remaining for a different one of two players; and
- exactly two clock buttons (8 figure 1), each of which when pressed halts the reduction of a first one of the times remaining stored in a first one of the two memory locations and initiates the reduction of a second one of the times remaining stored in a second one of the two memory locations, in which the memory and each of the two clock buttons are attached to the body.

Garlock does not teach the system designed for four players, including four memory locations, and exactly four buttons. Garlock's timing device is designed for exactly two players instead of four.

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Four player games are well known in the art. Evidence of four player games is provided by Kifer. Kifer teaches a four player version of chess.

At the time of the invention it would have been obvious to one skilled in the art to modify Garlock's invention to time four players instead of two by increasing the number of buttons and memory locations to four instead of two. The suggestion or motivation for doing so would be to allow the device to be used to time Kifer's four player version of chess.

17. With respect to claim 17 Garlock and Kifer teach the device of claim 16, further including four display, in which each display is operable to display one of the times remaining (4 figure 1), and in which each display is attached to the body (2 figure 1.)

18. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Garlock (US 20020093882) in view of Kifer (US 6102399) in further view of Yoo (US 5305290) and Dennison (US 3228688.)

19. With respect to claim 18 Garlock and Kifer teach the device of claim 17, in which a first of the four displays is attached to a first face of the body and a second of the four displays is attached to a second face of the body (figure 1.)

Garlock does not teach wherein the first face is different from the second face.

Kifer teaches a game wherein the four players face in opposing directions.

Yoo teaches a two sided clock sharing a common housing.

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Dennison teaches using a two-sided display for the purpose of indicating information to two players of a game at the same time, wherein the two players necessarily face in opposite directions while playing said game.

At the time of the invention it would have been obvious to one skilled in the art to make Garlock's displays face in different directions as taught by Yoo and Dennison. The suggestion or motivation for doing so would be to indicate information to two or more separate people facing in different directions, as taught by Dennison.

20. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Garlock (US 20020093882) in view of Kifer (US 6102399) in further view of Imgruth (US 4236239.)

21. With respect to claim 19 Garlock and Kifer teach the device of claim 16, further including:

- the first display and the second display being attached to the body (figure 1.)

Garlock does not teach

- a first display operable to display a first and second of the times remaining; and
- a second display operable to display a third and fourth of the times remaining.

It is very well known in the art to utilize a common display device to display more than one piece of information. This is done in order to simplify device design and assembly.

Evidence of this is provided by Imgruth, which teaches an LCD screen with at least two displays displayed thereon.

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At the time of the invention it would have been obvious to one skilled in the art to have a common display, as taught by Imgruth, on each side of Garlock's invention for indicating at least two pieces of timing information each. The suggestion or motivation for doing so would be to simplify the device design and assembly by reducing the required number of displays.

22. Claims 16 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Garlock (US 20020093882) in view of applicant's admitted prior art and Yoo.

23. With respect to claim 16 Garlock teaches a device comprising:

- a body (2 figure 1)
- a memory (see claim 12), including two memory locations, in which each of the two memory locations stores a time remaining for a different one of two players; and
- exactly two clock buttons (8 figure 1), each of which when pressed halts the reduction of a first one of the times remaining stored in a first one of the two memory locations and initiates the reduction of a second one of the times remaining stored in a second one of the two memory locations, in which the memory and each of the two clock buttons are attached to the body.

Garlock does not teach the system designed for four players, including four memory locations, and exactly four buttons. Garlock's timing device is designed for exactly two players instead of four.

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In applicant's discussion of the background art, applicant states that multiple clock are used per table to track multiple games of chess (paragraph 7 page 1. Particularly, the last 5 lines of page 1 and the first two lines of page 2.)

At the time of the invention it would have been obvious to one skilled in the art to use more than one of Garlock's devices for the purpose of tracking multiple games of chess, as per applicant's discussion of general tournament play. The suggestion or motivation for doing so would be to time more than one game at a time as per applicant's admitted prior art.

It is notoriously well known to house multiple devices in a single housing. Evidence of this is provided by Yoo. Yoo teaches two clocks for displaying separate times.

At the time of the invention it would have been obvious to one skilled in the art to combine two of Garlock's devices in a common housing as taught by Yoo. The suggestion or motivation for doing so would be to indicate and track more than one time as taught by Yoo.

24. With respect to claim 20 Garlock, Yoo, and applicant's admitted prior art teach the device of claim 16, with the four clock buttons referred to as A, B, C, and D and with the four memory locations referred to as w, x, y, z, in which: clock button A, when pressed, halts the reduction of the time remaining stored in memory location w, and initiates the reduction of the time remaining stored in memory location x, clock button B, when pressed, halts the reduction of the time remaining stored in memory location x, and initiates the reduction of the time remaining stored in memory location w; clock



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when pressed halts the reduction of the time remaining stored in memory location y, and initiates the reduction of the time remaining stored in memory location z; clock button D, when pressed halts the reduction of the time remaining stored in memory location z, and initiates the reduction of the time remaining stored in memory location y; neither clock button A nor clock button B has any effect on times remaining in memory locations y and z; and neither clock button C nor clock button D have any effect on time remaining in memory locations w and x. (Figure 1 shows the control buttons, 8, and the two time displays for indicating each player time. Paragraph 39 discusses wherein pressing one of the buttons, 8 figure 1, will start decreasing the time stored in a given players memory. Paragraph 43 states wherein the time variables are assigned to memory locations. As modified in the previous action the two clocks would function essentially separately not modifying the other clock's memory.)

### ***Response to Arguments***

25. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sean Kayes whose telephone number is (571) 272-8931. The examiner can normally be reached on 8:00-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tulsidas Patel can be reached on (571) 272-2098. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SK  
11/29/2006



**Vit Miska**  
**Primary Examiner**